

**BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation  
Against:

**SONIA YACOBIAN, M.D.**

File No. D1-2001-118155

Physician's and Surgeon's  
Certificate No. A 52602

Respondent

**DECISION**

The attached **Stipulated Settlement and Disciplinary Order** is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on January 22, 2007

IT IS SO ORDERED December 22, 2006

MEDICAL BOARD OF CALIFORNIA

By: 

**Barbara Yaroslavsky**

Chair, Panel B

Division of Medical Quality

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RICHARD D. MARINO, State Bar No. 90471  
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6 Attorneys for Complainant

7  
8 **BEFORE THE**  
9 **DIVISION OF MEDICAL QUALITY**  
10 **MEDICAL BOARD OF CALIFORNIA**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke Probation  
Against:

12 SONIA YACOBIAN  
13 1245 Grandview Ave., No. 3  
14 Glendale, CA 91201

15 Physician and Surgeon's Certificate No. A 52602

16 Respondent.

Case No. D1-2001-118155

OAH No. L-2002120594

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

17  
18 In the interest of a prompt and speedy settlement of this matter, consistent with the  
19 public interest and the responsibility of the Division of Medical Quality, Medical Board of  
20 California the parties hereby agree to the following Stipulated Settlement and Disciplinary Order  
21 which will be submitted to the Division for approval and adoption as the final disposition of the  
22 Petition to Revoke Probation.

23 **PARTIES**

24 1. David Thornton (Complainant) is the Executive Director of the Medical  
25 Board of California. He brought this action solely in his official capacity and is represented in  
26 this matter by Bill Lockyer, Attorney General of the State of California, by Richard D. Marino,  
27 Deputy Attorney General.

28 2. Respondent Sonia Yacobian (Respondent) is represented in this

proceeding by attorney Tracy Green, whose address is Green & Associates, 865 S. Figueroa St., 32<sup>nd</sup> Floor, Los Angeles, California 90017.

3. On or about November 23, 1993, the Medical Board of California issued Physician and Surgeon's Certificate No. A 52602 to Respondent.

4. In the disciplinary action entitled *In the Matter of the Accusation Against Sonia Yacobian, M.D.*, Case No. 17-2001-118155, the Division of Medical Quality, Medical Board of California (Division), issued a decision, effective May 17, 2004, revoking Respondent's Physician and Surgeon's Certificate. However, the revocation was stayed and Respondent's certificate was placed on probation for a period of five (5) years with certain terms and conditions. The decision entirely adopts a stipulated settlement and disciplinary order agreed upon in writing between Complainant and Respondent. A copy of that decision and stipulated settlement and disciplinary order is appended to the Petition to Revoke Probation, a copy of which is attached as Exhibit A and is incorporated by reference.

5. At all times relevant to the charges brought herein, Respondent's certificate was in full force and effect and subject to the disciplinary and probation order described in paragraph 4, *ante*. Unless renewed, Respondent's Physician and Surgeon's Certificate will expire on August 31, 2007.

#### **JURISDICTION**

6. Petition to Revoke Probation No. D1-2001-118155 was filed before the Division of Medical Quality (Division) for the Medical Board of California, and is currently pending against Respondent. The Petition to Revoke Probation and all other statutorily required documents were properly served on Respondent on February 10, 2006. Respondent timely filed her Notice of Defense contesting Petition to Revoke Probation, a copy of which is attached as Exhibit A and incorporated herein by reference.

#### **ADVISEMENT AND WAIVERS**

7. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Petition to Revoke Probation No. D1-2001-118155. Respondent has also carefully read, fully discussed with counsel, and understands the effects of

1 this Stipulated Settlement and Disciplinary Order.

2           8.       Respondent is fully aware of her legal rights in this matter, including the  
3 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
4 counsel at her own expense; the right to confront and cross-examine the witnesses against her;  
5 the right to present evidence and to testify on her own behalf; the right to the issuance of  
6 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
7 reconsideration and court review of an adverse decision; and all other rights accorded by the  
8 California Administrative Procedure Act and other applicable laws.

9           9.       Respondent voluntarily, knowingly, and intelligently waives and gives up  
10 each and every right set forth above.

#### 11                               CULPABILITY

12           10.       Respondent understands and agrees that the charges and allegations in  
13 Petition to Revoke Probation No. D1-2001-118155, if proven at a hearing, constitute cause for  
14 imposing additional discipline upon her Physician and Surgeon's Certificate.

15           11.       For the purpose of resolving Petition to Revoke Probation No.  
16 D1-2001-118155 without the expense and uncertainty of further proceedings, Respondent agrees  
17 that, at a hearing, Complainant could present a prima facie case for the charges in Petition to  
18 Revoke Probation No. D1-2001-118155, and that Respondent hereby gives up her right to contest  
19 those charges.

20           12.       Respondent agrees that her Physician and Surgeon's Certificate is subject  
21 to discipline and she agrees to be bound by the Division's imposition of discipline as set forth in  
22 the Disciplinary Order below.

#### 23                               RESERVATION

24           13.       The admissions made by Respondent herein are only for the purposes of  
25 this proceeding, or any other proceedings in which the Division of Medical Quality, Medical  
26 Board of California, or other professional licensing agency is involved, and shall not be  
27 admissible in any other criminal or civil proceeding.

1 CONTINGENCY

2 14. This stipulation shall be subject to approval by the Division of Medical  
3 Quality. Respondent understands and agrees that counsel for Complainant and the staff of the  
4 Medical Board of California may communicate directly with the Division regarding this  
5 stipulation and settlement, without notice to or participation by Respondent or her counsel. By  
6 signing the stipulation, Respondent understands and agrees that she may not withdraw her  
7 agreement or seek to rescind the stipulation prior to the time the Division considers and acts upon  
8 it. If the Division fails to adopt this stipulation as its Decision and Order, the Stipulated  
9 Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall  
10 be inadmissible in any legal action between the parties, and the Division shall not be disqualified  
11 from further action by having considered this matter.

12 15. The parties understand and agree that facsimile copies of this Stipulated  
13 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same  
14 force and effect as the originals.

15 16. In consideration of the foregoing admissions and stipulations, the parties  
16 agree that the Division may, without further notice or formal proceeding, issue and enter the  
17 following Disciplinary Order:

18 DISCIPLINARY ORDER

19 **IT IS HEREBY ORDERED** that Physician and Surgeon's Certificate No. A  
20 52602 issued to Respondent Sonia Yacobian is revoked. However, the revocation is stayed and  
21 Respondent is placed on probation through and including May 16, 2010,<sup>1</sup> on the following terms  
22 and conditions.

23 1. MEDICAL RECORD KEEPING COURSE Within 90 calendar days of  
24 the effective date of this decision, respondent shall enroll in a course in medical record keeping,  
25 at respondent's expense, approved in advance by the Division or its designee. Failure to  
26 successfully complete the course during the first 6 months of probation is a violation of

27 \_\_\_\_\_  
28 1. The original disciplinary order, effective May 17, 2004, placed Respondent on probation  
for five years. The current disciplinary order extends the length of probation one year.

1 probation.

2 A medical record keeping course taken after the acts that gave rise to the charges  
3 in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the  
4 Division or its designee, be accepted towards the fulfillment of this condition if the course would  
5 have been approved by the Division or its designee had the course been taken after the effective  
6 date of this Decision.

7 Respondent shall submit a certification of successful completion to the Division  
8 or its designee not later than 15 calendar days after successfully completing the course, or not  
9 later than 15 calendar days after the effective date of the Decision, whichever is later.<sup>2</sup>

10 2. PREScribing PRACTICES COURSE Within 180 calendar days of the  
11 effective date of this Decision, respondent shall complete a course in prescribing practices, at  
12 respondent's expense, approved in advance by the Division or its designee. Failure to  
13 successfully complete the course during the first 6 months of probation is a violation of  
14 probation.

15 A prescribing practices course taken after the acts that gave rise to the charges in  
16 the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the  
17 Division or its designee, be accepted towards the fulfillment of this condition if the course would  
18 have been approved by the Division or its designee had the course been taken after the effective  
19 date of this Decision.

20 Respondent shall submit a certification of successful completion to the Division  
21 or its designee not later than 15 calendar days after successfully completing the course, or not  
22 later than 15 calendar days after the effective date of the Decision, whichever is later.

23 **Unless the Division or its designee agrees in writing to a later time for**  
24 **completion, if respondent fails to complete the prescribing practices course within the**  
25 **designated time period, respondent shall be immediately suspended from the practice of**  
26 **medicine and remain suspended until she completed the required program and the Division**

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27  
28 2. The term was part of the original disciplinary order and was satisfied by Respondent. A  
certificate of completion is attached as Exhibit B.

1 has been notified, in writing, that respondent successfully completed the prescribing  
2 practices program.

3 3. ETHICS COURSE Within 60 calendar days of the effective date of this  
4 Decision, respondent shall enroll in a course in ethics, at respondent's expense, approved in  
5 advance by the Division or its designee. Respondent shall be immediately suspended from the  
6 practice of medicine if she does not commence the course within 180 days of the effective date of  
7 this decision or does not complete the course within one year of commencement and shall remain  
8 suspended from the practice of medicine until she has completed the ethics course and the  
9 Division has been notified, in writing, that respondent has completed the ethics course.

10 An ethics course taken after the acts that gave rise to the charges in the  
11 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the  
12 Division or its designee, be accepted towards the fulfillment of this condition if the course would  
13 have been approved by the Division or its designee had the course been taken after the effective  
14 date of this Decision.

15 Respondent shall submit a certification of successful completion to the Division  
16 or its designee not later than 15 calendar days after successfully completing the course, or not  
17 later than 15 calendar days after the effective date of the Decision, whichever is later.

18 4. CLINICAL TRAINING PROGRAM Within <sup>RM TY</sup> 270 calendar days of the   
19 effective date of this Decision, respondent shall enroll in and complete a clinical training or  
20 educational program equivalent to the Physician Assessment and Clinical Education Program  
21 (PACE) offered at the University of California - San Diego School of Medicine ("Program").

22 The Program shall consist of a Comprehensive Assessment program comprised of  
23 a two-day assessment of respondent's physical and mental health; basic clinical and  
24 communication skills common to all clinicians; and medical knowledge, skill and judgment  
25 pertaining to respondent's specialty or sub-specialty, and at minimum, a 40 hour program of  
26 clinical education in the area of practice in which respondent was alleged to be deficient and  
27 which takes into account data obtained from the assessment, Decision(s), Accusation(s), and any  
28 other information that the Division or its designee deems relevant. Respondent shall pay all

1 expenses associated with the clinical training program.

2           Based on respondent's performance and test results in the assessment and clinical  
3 education, the Program will advise the Division or its designee of its recommendation(s) for the  
4 scope and length of any additional educational or clinical training, treatment for any medical  
5 condition, treatment for any psychological condition, or anything else affecting respondent's  
6 practice of medicine. Respondent shall comply with Program recommendations.

7           At the completion of any additional educational or clinical training, respondent  
8 shall submit to and pass an examination. The Program's determination whether or not  
9 respondent passed the examination or successfully completed the Program shall be binding.

10           Failure to participate in and complete successfully all phases of the clinical  
11 training program outlined above is a violation of probation.

12           **Unless the Division or its designee agrees in writing to a later time for**  
13 **completion, if respondent fails to complete the clinical training program within the**  
14 **designated time period, respondent shall be immediately suspended from the practice of**  
15 **medicine and remain suspended until she completed the clinical training program and the**  
16 **Division has been notified, in writing, that respondent successfully completed the clinical**  
17 **training program.**

18           5.     MONITORING - PRACTICE/BILLING Within 30 calendar days of the  
19 effective date of this Decision, respondent shall submit to the Division or its designee for prior  
20 approval as a practice monitor, the name and qualifications of one or more licensed physicians  
21 and surgeons whose licenses are valid and in good standing, and who are preferably American  
22 Board of Medical Specialties (ABMS) certified. A monitor shall have no prior or current  
23 business or personal relationship with respondent, or other relationship that could reasonably be  
24 expected to compromise the ability of the monitor to render fair and unbiased reports to the  
25 Division, including, but not limited to, any form of bartering, shall be in respondent's field of  
26 practice, and must agree to serve as respondent's monitor. Respondent shall pay all monitoring  
27 costs.

28           The Division or its designee shall provide the approved monitor with copies of



1 this Decision and Petition to Revoke Probation, the original Decision and Accusation, and a  
2 proposed monitoring plan. Within 15 calendar days of receipt of the Decisions and proposed  
3 monitoring plan, the monitor shall submit a signed statement that the monitor has read the  
4 Decision and Accusation, fully understands the role of a monitor, and agrees or disagrees with  
5 the proposed monitoring plan. If the monitor disagrees with the proposed monitoring plan, the  
6 monitor shall submit a revised monitoring plan with the signed statement.

7           Within 60 calendar days of the effective date of this Decision, and continuing  
8 throughout probation, respondent's practice and billing shall be monitored by the approved  
9 monitor. Respondent shall make all records available for immediate inspection and copying on  
10 the premises by the monitor at all times during business hours, and shall retain the records for the  
11 entire term of probation.

12           The monitor shall submit a quarterly written report to the Division or its designee  
13 which includes an evaluation of respondent's performance, indicating whether respondent's  
14 practices are within the standards of practice of medicine or billing, or both, and whether  
15 respondent is practicing medicine safely, billing appropriately or both.

16           It shall be the sole responsibility of respondent to ensure that the monitor submits  
17 the quarterly written reports to the Division or its designee within 10 calendar days after the end  
18 of the preceding quarter. **Within 30 days of the effective date of this Decision, respondent**  
19 **shall cause any outstanding quarterly written reports to be submitted to the Division or its**  
20 **designee.**

21           If the monitor resigns or is no longer available, respondent shall, within 5 calendar  
22 days of such resignation or unavailability, submit to the Division or its designee, for prior  
23 approval, the name and qualifications of a replacement monitor who will be assuming that  
24 responsibility within 15 calendar days. If respondent fails to obtain approval of a replacement  
25 monitor within 60 days of the resignation or unavailability of the monitor, respondent shall be  
26 suspended from the practice of medicine until a replacement monitor is approved and prepared to  
27 assume immediate monitoring responsibility. Respondent shall cease the practice of medicine  
28 within 3 calendar days after being so notified by the Division or designee.

1 In lieu of a monitor, respondent may participate in a professional enhancement  
2 program equivalent to the one offered by the Physician Assessment and Clinical Education  
3 Program at the University of California, San Diego School of Medicine, that includes, at  
4 minimum, quarterly chart review, semi-annual practice assessment, and semi-annual review of  
5 professional growth and education. Respondent shall participate in the professional enhancement  
6 program at respondent's expense during the term of probation.

7 Failure to maintain all records, or to make all appropriate records available for  
8 immediate inspection and copying on the premises, or to comply with this condition as outlined  
9 above is a violation of probation.

10 6. SOLO PRACTICE Respondent is prohibited from engaging in the solo  
11 practice of medicine.

12 7. NOTIFICATION Prior to engaging in the practice of medicine, the  
13 respondent shall provide a true copy of the Decision and Accusation to the Chief of Staff or the  
14 Chief Executive Officer at every hospital where privileges or membership are extended to  
15 respondent, at any other facility where respondent engages in the practice of medicine, including  
16 all physician and locum tenens registries or other similar agencies, and to the Chief Executive  
17 Officer at every insurance carrier which extends malpractice insurance coverage to respondent.  
18 Respondent shall submit proof of compliance to the Division or its designee within 15 calendar  
19 days.

20 This condition shall apply to any change(s) in hospitals, other facilities or  
21 insurance carrier.

22 8. SUPERVISION OF PHYSICIAN ASSISTANTS During probation,  
23 respondent is prohibited from supervising physician assistants.

24 9. OBEY ALL LAWS Respondent shall obey all federal, state and local  
25 laws, all rules governing the practice of medicine in California, and remain in full compliance  
26 with any court ordered criminal probation, payments and other orders.

27 10. QUARTERLY DECLARATIONS Respondent shall submit quarterly  
28 declarations under penalty of perjury on forms provided by the Division, stating whether there

1 has been compliance with all the conditions of probation. Respondent shall submit quarterly  
2 declarations not later than 10 calendar days after the end of the preceding quarter.

3 11. PROBATION UNIT COMPLIANCE Respondent shall comply with the  
4 Division's probation unit. Respondent shall, at all times, keep the Division informed of  
5 respondent's business and residence addresses. Changes of such addresses shall be immediately  
6 communicated in writing to the Division or its designee. Under no circumstances shall a post  
7 office box serve as an address of record, except as allowed by Business and Professions Code  
8 section 2021(b).

9 Respondent shall not engage in the practice of medicine in respondent's place of  
10 residence. Respondent shall maintain a current and renewed California physician's and  
11 surgeon's license.

12 Respondent shall immediately inform the Division, or its designee, in writing, of  
13 travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last,  
14 more than 30 calendar days.

15 12. INTERVIEW WITH THE DIVISION, OR ITS DESIGNEE Respondent  
16 shall be available in person for interviews either at respondent's place of business or at the  
17 probation unit office, with the Division or its designee, upon request at various intervals, and  
18 either with or without prior notice throughout the term of probation.

19 13. RESIDING OR PRACTICING OUT-OF-STATE In the event respondent  
20 should leave the State of California to reside or to practice, respondent shall notify the Division  
21 or its designee in writing 30 calendar days prior to the dates of departure and return. Non-  
22 practice is defined as any period of time exceeding 30 calendar days in which respondent is not  
23 engaging in any activities defined in Sections 2051 and 2052 of the Business and Professions  
24 Code.

25 All time spent in an intensive training program outside the State of California  
26 which has been approved by the Division or its designee shall be considered as time spent in the  
27 practice of medicine within the State. A Board-ordered suspension of practice shall not be  
28 considered as a period of non-practice. Periods of temporary or permanent residence or practice

1 outside California will not apply to the reduction of the probationary term. Periods of temporary  
2 or permanent residence or practice outside California will relieve respondent of the responsibility  
3 to comply with the probationary terms and conditions with the exception of this condition and  
4 the following terms and conditions of probation: Obey All Laws; Probation Unit Compliance;  
5 and Cost Recovery.

6 Respondent's license shall be automatically cancelled if respondent's periods of  
7 temporary or permanent residence or practice outside California total two years. However,  
8 respondent's license shall not be cancelled as long as respondent is residing and practicing  
9 medicine in another state of the United States and is on active probation with the medical  
10 licensing authority of that state, in which case the two year period shall begin on the date  
11 probation is completed or terminated in that state.

12 14. FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

13 In the event respondent resides in the State of California and for any reason  
14 respondent stops practicing medicine in California, respondent shall notify the Division or its  
15 designee in writing within 30 calendar days prior to the dates of non-practice and return to  
16 practice. Any period of non-practice within California, as defined in this condition, will not  
17 apply to the reduction of the probationary term and does not relieve respondent of the  
18 responsibility to comply with the terms and conditions of probation. Non-practice is defined as  
19 any period of time exceeding 30 calendar days in which respondent is not engaging in any  
20 activities defined in sections 2051 and 2052 of the Business and Professions Code.

21 All time spent in an intensive training program which has been approved by the  
22 Division or its designee shall be considered time spent in the practice of medicine. For purposes  
23 of this condition, non-practice due to a Board-ordered suspension or in compliance with any  
24 other condition of probation, shall not be considered a period of non-practice.

25 Respondent's license shall be automatically cancelled if respondent resides in  
26 California and for a total of two years, fails to engage in California in any of the activities  
27 described in Business and Professions Code sections 2051 and 2052.

28 15. COMPLETION OF PROBATION Respondent shall comply with all

1 financial obligations (e.g., cost recovery, restitution, probation costs) not later than 120 calendar  
2 days prior to the completion of probation. Upon successful completion of probation,  
3 respondent's certificate shall be fully restored.

4           16.    VIOLATION OF PROBATION Failure to fully comply with any term or  
5 condition of probation is a violation of probation. If respondent violates probation in any respect,  
6 the Division, after giving respondent notice and the opportunity to be heard, may revoke  
7 probation and carry out the disciplinary order that was stayed. If an Accusation, Petition to  
8 Revoke Probation, or an Interim Suspension Order is filed against respondent during probation,  
9 the Division shall have continuing jurisdiction until the matter is final, and the period of  
10 probation shall be extended until the matter is final.

11           17.    LICENSE SURRENDER Following the effective date of this Decision, if  
12 respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy  
13 the terms and conditions of probation, respondent may request the voluntary surrender of  
14 respondent's license. The Division reserves the right to evaluate respondent's request and to  
15 exercise its discretion whether or not to grant the request, or to take any other action deemed  
16 appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender,  
17 respondent shall within 15 calendar days deliver respondent's wallet and wall certificate to the  
18 Division or its designee and respondent shall no longer practice medicine. Respondent will no  
19 longer be subject to the terms and conditions of probation and the surrender of respondent's  
20 license shall be deemed disciplinary action. If respondent re-applies for a medical license, the  
21 application shall be treated as a petition for reinstatement of a revoked certificate.

22           18.    PROBATION MONITORING COSTS Respondent shall pay the costs  
23 associated with probation monitoring each and every year of probation, as designated by the  
24 Division, which are currently set at \$3,173.00, but may be adjusted on an annual basis. Such  
25 costs shall be payable to the Medical Board of California and delivered to the Division or its  
26 designee no later than January 31 of each calendar year. Failure to pay costs within 30 calendar  
27 days of the due date is a violation of probation.

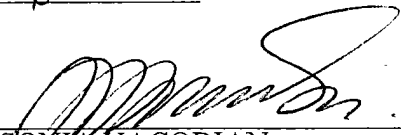
28           In addition, within 180 days of the effective date of this decision, respondent shall

1 pay all outstanding probation costs that are due and owing.

2 ACCEPTANCE


3 I have carefully read the above Stipulated Settlement and Disciplinary Order and  
4 have fully discussed it with my attorney, Tracy Green. I understand the stipulation and the effect  
5 it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated Settlement and  
6 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
7 Decision and Order of the Division of Medical Quality, Medical Board of California.

8 DATED: 7/20/06

9  
10   
11 SONIA YACOBIAN  
Respondent

12  
13 I have read and fully discussed with Respondent Sonia Yacobian the terms and  
14 conditions and other matters contained in the above Stipulated Settlement and Disciplinary  
15 Order. I approve its form and content.

16 DATED: July 20, 2006

17  
18   
19 TRACY GREEN  
Attorney for Respondent

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Division of Medical Quality, Medical Board of California.

DATED: July 20, 2006

BILL LOCKYER, Attorney General  
of the State of California

  
RICHARD D. MARINO  
Deputy Attorney General

Attorneys for Complainant

DOJ Docket/Matter ID Number: 03573160LA2002ADXXXX  
YacobianStipulationNewRevised.wpd

**Exhibit A**

**Petition to Revoke Probation No. D1-2001-118155**



BILL LOCKYER, Attorney General  
of the State of California  
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Attorneys for Complainant

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke Probation  
Against:

SONIA H. YACOBIAN, M.D.  
1245 Grandview Ave., No. 3  
Glendale, CA 91201

Physician & Surgeon's Certificate No. A 52602

Respondent.

Case No. D1-2001-118155

OAH No. L-2002120594

**PETITION TO REVOKE  
PROBATION**

Complainant alleges:

**PARTIES**

1. David T. Thornton (Complainant) brings this Petition to Revoke Probation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs, State of California (Board).

2. On or about November 23, 1993, the Board issued Physician & Surgeon's Certificate No. A 52602 to Sonia H. Yacobian, M.D. (Respondent). The certificate was in effect at all times relevant to the charges brought herein, and will expire on August 31, 2007, unless renewed.

3. In a disciplinary action entitled *In the Matter of Accusation Against Sonia H. Yacobian, M.D.*, Case No. 17-2001-118155, the Board's Division of Medical Quality (Division) issued a decision, effective May 17, 2004, in which Respondent's Physician &

1 Surgeon's Certificate was revoked. However, the revocation was stayed and Respondent's  
2 certificate was placed on probation for a period of five (5) years with certain terms and  
3 conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

#### 4 JURISDICTION

5 4. This Petition to Revoke Probation is brought before the Division under the  
6 authority of the following provisions of the Business and Professions Code (Code).

7 5. Section 2004 of the Code provides:

8 "The Division of Medical Quality shall have the responsibility for the following:

9 "(a) The enforcement of the disciplinary and criminal provisions of the Medical  
10 Practice Act.

11 "(b) The administration and hearing of disciplinary actions.

12 "(c) Carrying out disciplinary actions appropriate to findings made by a medical  
13 quality review committee, the division, or an administrative law judge.

14 "(d) Suspending, revoking, or otherwise limiting certificates after the conclusion  
15 of disciplinary actions.

16 "(e) Reviewing the quality of medical practice carried out by physician and  
17 surgeon certificate holders under the jurisdiction of the board."

18 6. Section 2227 of the Code provides that a licensee who is found guilty  
19 under the Medical Practice Act may have his or her license revoked, suspended for a period not  
20 to exceed one year, placed on probation and required to pay the costs of probation monitoring, or  
21 such other action taken in relation to discipline as the Division deems proper.

22 7. Section 2234 of the Code provides:

23 "The Division of Medical Quality shall take action against any licensee  
24 who is charged with unprofessional conduct. In addition to other provisions of  
25 this article, unprofessional conduct includes, but is not limited to the following:

26 "...

27 "(e) The commission of any act involving dishonesty or corruption  
28 which is substantially related to the qualifications, functions, or duties of a

1 physician and surgeon.

2 " . . . "

3 **FIRST CAUSE TO REVOKE PROBATION**

4 **(Failure To Complete Medical Record Keeping Course Timely)**

5 8. At all times after the effective date of Respondent's probation, Condition 1  
6 stated:

7 "1. MEDICAL RECORD KEEPING COURSE Within 60 calender days  
8 of the effective date of this Decision, respondent shall enroll in a course in medical record  
9 keeping, at respondent's expense, approved in advance by the Division or its designee.  
10 Failure to successfully complete the course during the first 6 months of probation is a  
11 violation of probation.

12 "A medical record keeping course taken after the acts that gave rise to the  
13 charges in the Accusation, but prior to the effective date of the Decision may, in the sole  
14 discretion of the Division or its designee, be accepted towards the fulfillment of this  
15 condition if the course would have been approved by the Division or its designee had the  
16 course been taken after the effective date of this Decision.

17 "Respondent shall submit a certification of successful completion to the  
18 Division or its designee not later than 15 calender days after successfully completing the  
19 course, or not later than 15 calender days after the effective date of the Decision,  
20 whichever is later."

21 9. Respondent's probation is subject to revocation because she failed to  
22 comply with Condition 1 of her probation because she did not enroll in an approved medical  
23 record keeping course within 60 days of the effective date of the Board's decision and order  
24 imposing probation and did not complete an approved medical record keeping course within six  
25 months of the effective date of the Board's decision and order imposing probation.

26 **SECOND CAUSE TO REVOKE PROBATION**

27 **(Failure To Prescribing Practices Course)**

28 10. At all times after the effective date of Respondent's probation, Condition 2

1 stated:

2 "1. PREScribing PRACTICES COURSE Within 60 calendar days  
3 of the effective date of this Decision, respondent shall enroll in a course in prescribing  
4 practices, at respondent's expense, approved in advance by the Division or its designee.  
5 Failure to successfully complete the course during the first 6 months of probation is a  
6 violation of probation.

7 "A prescribing practices course taken after the acts that gave rise to the  
8 charges in the Accusation, but prior to the effective date of the Decision may, in the sole  
9 discretion of the Division or its designee, be accepted towards the fulfillment of this  
10 condition if the course would have been approved by the Division or its designee had the  
11 course been taken after the effective date of this Decision."

12 "Respondent shall submit a certification of successful completion to the  
13 Division or its designee not later than 15 calendar days after successfully completing the  
14 course, or not later than 15 calendar days after the effective date of the Decision,  
15 whichever is later."

16 11. Respondent's probation is subject to revocation because she failed to  
17 complete an approved prescribing practices course within six months of the effective date of the  
18 Board's decision and order imposing probation. On or about July 16, 2004, Respondent enrolled  
19 in a prescribing practice course which was to be conducted in on or about and during December  
20 2004. Thereafter, Respondent requested and received a refund of her deposit for the prescribing  
21 practices course. As of the date of the petition to revoke probation, Respondent has not  
22 completed an approved prescribing practices course.

23 **THIRD CAUSE TO REVOKE PROBATION**

24 **(Failure To Complete Ethics Course)**

25 12 At all times after the effective date of Respondent's probation, Condition 3  
26 stated:

27 "3. ETHICS COURSE Within 60 calendar days of the effective date of  
28 this Decision, respondent shall enroll in a course in ethics, at respondent's expense,

1 approved in advance by the Division or its designee. Failure to successfully complete the  
2 course during the first 6 months of probation is a violation of probation.

3 "An ethics course taken after the acts that gave rise to the charges in the  
4 Accusation, but prior to the effective date of the Decision may, in the sole discretion of  
5 the Division or its designee, be accepted towards the fulfillment of this condition if the  
6 course would have been approved by the Division or its designee had the course been  
7 taken after the effective date of this Decision.

8 "Respondent shall submit a certification of successful completion to the  
9 Division or its designee not later than 15 calender days after successfully completing the  
10 course, or not later than 15 calender days after the effective date of the Decision,  
11 whichever is later."

12 13. Respondent's probation is subject to revocation because: (1) she failed to  
13 enroll in an approved ethics course within 60 days of the effective date of the Board's decision  
14 and order imposing probation; and, (2) she failed to complete an approved ethics course within  
15 six months of the effective date of the Board's decision and order imposing probation.

#### 16 **FOURTH CAUSE TO REVOKE PROBATION**

##### 17 **(Failure To Complete Clinical Education Program (PACE))**

18 14. At all times after the effective date of Respondent's probation, Condition 4  
19 stated:

20 "4. CLINICAL TRAINING PROGRAM Within 60 calender days of the  
21 effective date of this Decision, respondent shall enroll in a course in clinical training or  
22 educational program equivalent to the Physician Assessment and Clinical Educational  
23 Education Program (PACE) offered at the University of California of California - San  
24 Diego School of Medicine ("Program").

25 "The Program shall consist of a Comprehensive Assessment program  
26 comprised of a two-day assessment of respondent's physical and mental health; basic  
27 clinical and communication skills common to all clinician; and medical knowledge, skill  
28 and judgment pertaining to respondent's specialty or sub-specialty, and at minimum, a 40

1 hour program of clinical education in the area of practice in which respondent was alleged  
2 to be deficient and which takes into account data obtained from the assessment,  
3 Decision(s), Accusations(s), and any other information that the Division or its designee  
4 deems relevant. The Respondent shall pay all expenses associated with the clinical  
5 training program.

6 "Based on respondent's performance and test results in the assessment and  
7 clinical education, the Program will advise the Division or its designee of its  
8 recommendation(s) for the scope and length of any psychological condition, or anything  
9 else affecting respondent's practice of medicine. Respondent shall comply with Program  
10 recommendations.

11 "At the completion of any additional educational or clinical training,  
12 respondent shall submit to and pass an examination. The Program's determination  
13 whether or not respondent passed the examination or successfully completed the Program  
14 shall be binding.

15 "Respondent shall complete the Program not later than six months after  
16 respondent's initial enrollment unless the Division or its designee agrees in writing to a  
17 later time for completion.

18 "Failure to participate in and complete successfully all phases of the  
19 clinical training program outlined above is a violation of probation.

20 "If respondent fails to complete the clinical training program within the  
21 designated time period, respondent shall cease the practice of medicine within 72 hours  
22 after being notified by the Division or its designee that respondent failed to complete the  
23 clinical training program."

24 15. Respondent's probation is subject to revocation because she failed to  
25 comply with Condition 4 of her probation, as follows:

26 a. Respondent filed a petition for writ of administrative mandate and  
27 accompanying request for stay pursuant to which Condition 4 was stayed until judgment  
28 was entered in the matter entitled *Sonia Yacobian v. Medical Board of California*,

1 Sacramento County Superior Court Case Number 02CS01790. On or about and during  
2 February 2005, judgment was entered against Respondent in the matter entitled *Sonia*  
3 *Yacobian v. Medical Board of California*, Sacramento County Superior Court Case  
4 Number 02CS01790. Respondent failed to enroll in the PACE program within 60 days of  
5 the entry of judgment.

6 c. As of the date of the petition to revoke probation, Respondent has not  
7 completed the PACE program.

8 **FIFTH CAUSE TO REVOKE PROBATION**

9 **(Failure To Provide Accurate Quarterly Reports)**

10 16. At all times after the effective date of Respondent's probation, Condition  
11 10 stated:

12 "10. QUARTERLY DECLARATIONS Respondent shall submit  
13 quarterly declarations under penalty of perjury on forms provided by the Division, stating  
14 whether there has been compliance with all the conditions of probation. Respondent shall  
15 submit quarterly declarations not later than 10 calendar days after the end of the  
16 preceding quarter."

17 17. Respondent's probation is subject to revocation because she failed to  
18 comply with Probation Condition 10, referenced above, in that she provided false information in  
19 the quarterly reports, dated March 31, June 30, September 30, and December 31, 2005, signed by  
20 Respondent, in which she falsely reported under the penalty of perjury that she was in  
21 compliance with the terms and conditions of her probation when, in fact, she had not completed  
22 an approved prescribing practices course, an approved ethics course, and the PACE course.

23 **SIXTH CAUSE TO REVOKE PROBATION**

24 **(Dishonest Acts)**

25 18. At all times after the effective date of Respondent's probation, Condition 9  
26 stated:

27 "9 OBEY ALL LAWS Respondent shall obey all federal, state and  
28 local laws, all rules governing the practice of medicine in California, and remain in full

1 compliance with any court ordered criminal probation, payments and other orders.”

2 19. Respondent’s probation is subject to revocation because she failed to  
3 comply with Probation Condition 9, referenced above, in that she committed a dishonest act,  
4 proscribed by Business and Professions Code section 2234, subdivision (e), on four occasions  
5 during 2005, by submitting quarterly reports under the penalty of perjury that falsely reported that  
6 she was in compliance with each term and condition of her probation, as more fully described in  
7 paragraph 17.

8 **PRAYER**

9 **WHEREFORE**, Complainant requests that a hearing be held on the matters  
10 herein alleged, and that following the hearing, the Division of Medical Quality issue a decision:

11 1. Revoking the probation that was granted by the Medical Board of  
12 California in Case Number 17-2001-118155 and imposing the disciplinary order that was stayed,  
13 thereby revoking Physician and Surgeon's Certificate Number A 52602 issued to Sonia  
14 Yacobian, M.D.;

15 2. Revoking or suspending Physician and Surgeon's Certificate Number  
16 A 52602 issued to Sonia Yacobian, M.D.;

17 3. Revoking, suspending or denying approval of Sonia Yacobian, M.D.’s;  
18 authority to supervise physician's assistants, pursuant to section 3527 of the Code;

19 4. Taking such other and further action as deemed necessary and proper.

20 DATED: February 10, 2006

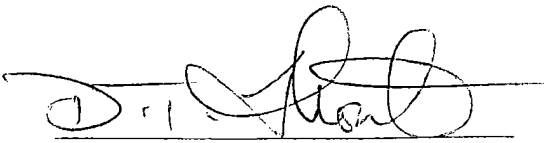
21  
22  
23   
24 DAVID T. THORNTON  
25 Executive Director  
26 Medical Board of California  
27 Department of Consumer Affairs  
28 State of California  
Complainant



EXHIBIT A

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation )  
Against: )

Case No: 17-2001-118155

SONIA YACOBIAN, M.D. )  
)  
)

Physician and Surgeon's )  
Certificate #A-52602 )  
)

Respondent. )  
\_\_\_\_\_ )

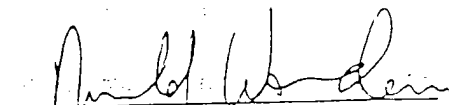
DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision and Order by the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 17, 2004.

IT IS SO ORDERED April 16, 2004

MEDICAL BOARD OF CALIFORNIA



Ronald Wender, M.D.

Panel B Chair

Division of Medical Quality

MEDICAL BOARD OF CALIFORNIA

I do hereby certify that this document is a true and correct copy of the original on file in this office.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

BILL LOCKYER, Attorney General  
of the State of California  
RICHARD D. MARINO, State Bar No. 90471  
Deputy Attorney General  
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Attorneys for Complainant

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SONIA YACOBIAN  
1245 Grandview Ave., No. 3  
Glendale, CA 91201

Physician and Surgeon's Certificate No. A 52602

Respondent.

Case No. 17-2001-118155

OAH No. L-2002120594

STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Division of Medical Quality, Medical Board of California the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to the Division for approval and adoption as the final disposition of the Accusation

PARTIES

1. Ron Joseph (Complainant) is the Executive Director of the Medical Board of California. He brought this action solely in his official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Richard D. Marino, Deputy Attorney General.

2. Respondent Sonia Yacobian (Respondent) is represented in this proceeding by attorney Marvin L. Part, whose address is 18034 Ventura Blvd., Encino, CA

1 91316.

2 3. On or about November 23, 1993, the Medical Board of California issued  
3 Physician and Surgeon's Certificate No. A 52602 to Sonia Yacobian (Respondent). The  
4 Certificate was in full force and effect at all times relevant to the charges brought in Accusation  
5 No. 17-2001-118155 and will expire on August 31, 2005, unless renewed.

6 JURISDICTION

7 4. Accusation No. 17-2001-118155 was filed before the Division of Medical  
8 Quality (Division) for the Medical Board of California, and is currently pending against  
9 Respondent. The Accusation and all other statutorily required documents were properly served  
10 on Respondent on August 29, 2002. Respondent timely filed her Notice of Defense contesting  
11 the Accusation. A copy of Accusation No. 17-2001-118155 is attached as exhibit A and  
12 incorporated herein by reference.

13 ADVISEMENT AND WAIVERS

14 5. Respondent has carefully read, fully discussed with counsel, and  
15 understands the charges and allegations in Accusation No. 17-2001-118155. Respondent has  
16 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
17 Settlement and Disciplinary Order.

18 6. Respondent is fully aware of her legal rights in this matter, including the  
19 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
20 counsel at her own expense; the right to confront and cross-examine the witnesses against her;  
21 the right to present evidence and to testify on her own behalf; the right to the issuance of  
22 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
23 reconsideration and court review of an adverse decision; and all other rights accorded by the  
24 California Administrative Procedure Act and other applicable laws.

25 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
26 each and every right set forth above.

27 CULPABILITY

28 8. Respondent understands and agrees that the charges and allegations in

1 Accusation No. 17-2001-118155, if proven at a hearing, constitute cause for imposing discipline  
2 upon her Physician and Surgeon's Certificate.

3 9. For the purpose of resolving the Accusation without the expense and  
4 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could  
5 establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up  
6 her right to contest those charges.

7 10. Respondent agrees that her Physician and Surgeon's Certificate is subject  
8 to discipline and she agrees to be bound by the Division's imposition of discipline as set forth in  
9 the Disciplinary Order below.

#### 10 RESERVATION

11 11. The admissions made by Respondent herein are only for the purposes of  
12 this proceeding, or any other proceedings in which the Division of Medical Quality, Medical  
13 Board of California, or other professional licensing agency is involved, and shall not be  
14 admissible in any other criminal or civil proceeding.

#### 15 CONTINGENCY

16 12. This stipulation shall be subject to approval by the Division of Medical  
17 Quality. Respondent understands and agrees that counsel for Complainant and the staff of the  
18 Medical Board of California may communicate directly with the Division regarding this  
19 stipulation and settlement, without notice to or participation by Respondent or her counsel. By  
20 signing the stipulation, Respondent understands and agrees that she may not withdraw her  
21 agreement or seek to rescind the stipulation prior to the time the Division considers and acts upon  
22 it. If the Division fails to adopt this stipulation as its Decision and Order, the Stipulated  
23 Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall  
24 be inadmissible in any legal action between the parties, and the Division shall not be disqualified  
25 from further action by having considered this matter.

26 13. The parties understand and agree that facsimile copies of this Stipulated  
27 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same  
28 force and effect as the originals.

1                   14.     In consideration of the foregoing admissions and stipulations, the parties  
2 agree that the Division may, without further notice or formal proceeding, issue and enter the  
3 following Disciplinary Order:

4                                   **DISCIPLINARY ORDER**

5                   **IT IS HEREBY ORDERED** that Physician and Surgeon's Certificate No. A  
6 52602 issued to Respondent Sonia Yacobian is revoked. However, the revocation is stayed and  
7 Respondent is placed on probation for five (5) years on the following terms and conditions.

8                   1.     **MEDICAL RECORD KEEPING COURSE** Within 60 calendar days of  
9 the effective date of this decision, respondent shall enroll in a course in medical record keeping,  
10 at respondent's expense, approved in advance by the Division or its designee. Failure to  
11 successfully complete the course during the first 6 months of probation is a violation of  
12 probation.

13                             A medical record keeping course taken after the acts that gave rise to the charges  
14 in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the  
15 Division or its designee, be accepted towards the fulfillment of this condition if the course would  
16 have been approved by the Division or its designee had the course been taken after the effective  
17 date of this Decision.

18                             Respondent shall submit a certification of successful completion to the Division  
19 or its designee not later than 15 calendar days after successfully completing the course, or not  
20 later than 15 calendar days after the effective date of the Decision, whichever is later.

21                   2.     **PRESCRIBING PRACTICES COURSE** Within 60 calendar days of the  
22 effective date of this Decision, respondent shall enroll in a course in prescribing practices; at  
23 respondent's expense, approved in advance by the Division or its designee. Failure to  
24 successfully complete the course during the first 6 months of probation is a violation of  
25 probation.

26                             A prescribing practices course taken after the acts that gave rise to the charges in  
27 the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the  
28 Division or its designee, be accepted towards the fulfillment of this condition if the course would

1 have been approved by the Division or its designee had the course been taken after the effective  
2 date of this Decision.

3           Respondent shall submit a certification of successful completion to the Division  
4 or its designee not later than 15 calendar days after successfully completing the course, or not  
5 later than 15 calendar days after the effective date of the Decision, whichever is later.

6           3.     ETHICS COURSE Within 60 calendar days of the effective date of this  
7 Decision, respondent shall enroll in a course in ethics, at respondent's expense, approved in  
8 advance by the Division or its designee. Failure to successfully complete the course during the  
9 first year of probation is a violation of probation.

10           An ethics course taken after the acts that gave rise to the charges in the  
11 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the  
12 Division or its designee, be accepted towards the fulfillment of this condition if the course would  
13 have been approved by the Division or its designee had the course been taken after the effective  
14 date of this Decision.

15           Respondent shall submit a ~~certification of~~ successful completion to the Division  
16 or its designee not later than 15 calendar days after successfully completing the course, or not  
17 later than 15 calendar days after the effective date of the Decision, whichever is later.

18           4.     CLINICAL TRAINING PROGRAM Within 60 calendar days of the  
19 effective date of this Decision, respondent shall enroll in a clinical training or educational  
20 program equivalent to the Physician Assessment and Clinical Education Program (PACE)  
21 offered at the University of California - San Diego School of Medicine ("Program").

22           The Program shall consist of a Comprehensive Assessment program comprised of  
23 a two-day assessment of respondent's physical and mental health; basic clinical and  
24 communication skills common to all clinicians; and medical knowledge, skill and judgment  
25 pertaining to respondent's specialty or sub-specialty, and at minimum, a 40 hour program of  
26 clinical education in the area of practice in which respondent was alleged to be deficient and  
27 which takes into account data obtained from the assessment, Decision(s), Accusation(s), and any  
28 other information that the Division or its designee deems relevant. Respondent shall pay all

1 expenses associated with the clinical training program.

2           Based on respondent's performance and test results in the assessment and clinical  
3 education, the Program will advise the Division or its designee of its recommendation(s) for the  
4 scope and length of any additional educational or clinical training, treatment for any medical  
5 condition, treatment for any psychological condition, or anything else affecting respondent's  
6 practice of medicine. Respondent shall comply with Program recommendations.

7           At the completion of any additional educational or clinical training, respondent  
8 shall submit to and pass an examination. The Program's determination whether or not  
9 respondent passed the examination or successfully completed the Program shall be binding.

10           Respondent shall complete the Program not later than six months after  
11 respondent's initial enrollment unless the Division or its designee agrees in writing to a later time  
12 for completion.

13           Failure to participate in and complete successfully all phases of the clinical  
14 training program outlined above is a violation of probation.

15           If respondent fails to complete the clinical training program within the designated  
16 time period, respondent shall cease the practice of medicine within 72 hours after being notified  
17 by the Division or its designee that respondent failed to complete the clinical training program.

18           5.     MONITORING - PRACTICE/BILLING Within 30 calendar days of the  
19 effective date of this Decision, respondent shall submit to the Division or its designee for prior  
20 approval as a practice monitor, the name and qualifications of one or more licensed physicians  
21 and surgeons whose licenses are valid and in good standing, and who are preferably American  
22 Board of Medical Specialties (ABMS) certified. A monitor shall have no prior or current  
23 business or personal relationship with respondent, or other relationship that could reasonably be  
24 expected to compromise the ability of the monitor to render fair and unbiased reports to the  
25 Division, including, but not limited to, any form of bartering, shall be in respondent's field of  
26 practice, and must agree to serve as respondent's monitor. Respondent shall pay all monitoring  
27 costs.

28           The Division or its designee shall provide the approved monitor with copies of the



1 Decision and Accusation, and a proposed monitoring plan. Within 15 calendar days of receipt of  
2 the Decision, Accusation, and proposed monitoring plan, the monitor shall submit a signed  
3 statement that the monitor has read the Decision and Accusation, fully understands the role of a  
4 monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees  
5 with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the  
6 signed statement.

7               Within 60 calendar days of the effective date of this Decision, and continuing  
8 throughout probation, respondent's practice and billing shall be monitored by the approved  
9 monitor. Respondent shall make all records available for immediate inspection and copying on  
10 the premises by the monitor at all times during business hours, and shall retain the records for the  
11 entire term of probation.

12               The monitor shall submit a quarterly written report to the Division or its designee  
13 which includes an evaluation of respondent's performance, indicating whether respondent's  
14 practices are within the standards of practice of medicine or billing, or both, and whether  
15 respondent is practicing medicine safely, billing appropriately or both.

16               It shall be the sole responsibility of respondent to ensure that the monitor submits  
17 the quarterly written reports to the Division or its designee within 10 calendar days after the end  
18 of the preceding quarter.

19               If the monitor resigns or is no longer available, respondent shall, within 5 calendar  
20 days of such resignation or unavailability, submit to the Division or its designee, for prior  
21 approval, the name and qualifications of a replacement monitor who will be assuming that  
22 responsibility within 15 calendar days. If respondent fails to obtain approval of a replacement  
23 monitor within 60 days of the resignation or unavailability of the monitor, respondent shall be  
24 suspended from the practice of medicine until a replacement monitor is approved and prepared to  
25 assume immediate monitoring responsibility. Respondent shall cease the practice of medicine  
26 within 3 calendar days after being so notified by the Division or designee.

27               In lieu of a monitor, respondent may participate in a professional enhancement  
28 program equivalent to the one offered by the Physician Assessment and Clinical Education

1 Program at the University of California, San Diego School of Medicine, that includes, at  
2 minimum, quarterly chart review, semi-annual practice assessment, and semi-annual review of  
3 professional growth and education. Respondent shall participate in the professional enhancement  
4 program at respondent's expense during the term of probation.

5 Failure to maintain all records, or to make all appropriate records available for  
6 immediate inspection and copying on the premises, or to comply with this condition as outlined  
7 above is a violation of probation.

8 6. SOLO PRACTICE Respondent is prohibited from engaging in the solo  
9 practice of medicine.

10 7. NOTIFICATION Prior to engaging in the practice of medicine, the  
11 respondent shall provide a true copy of the Decision and Accusation to the Chief of Staff or the  
12 Chief Executive Officer at every hospital where privileges or membership are extended to  
13 respondent, at any other facility where respondent engages in the practice of medicine, including  
14 all physician and locum tenens registries or other similar agencies, and to the Chief Executive  
15 Officer at every insurance carrier which extends malpractice insurance coverage to respondent.  
16 Respondent shall submit proof of compliance to the Division or its designee within 15 calendar  
17 days.

18 This condition shall apply to any change(s) in hospitals, other facilities or  
19 insurance carrier.

20 8. SUPERVISION OF PHYSICIAN ASSISTANTS During probation,  
21 respondent is prohibited from supervising physician assistants.

22 9. OBEY ALL LAWS Respondent shall obey all federal, state and local  
23 laws, all rules governing the practice of medicine in California, and remain in full compliance  
24 with any court ordered criminal probation, payments and other orders.

25 10. QUARTERLY DECLARATIONS Respondent shall submit quarterly  
26 declarations under penalty of perjury on forms provided by the Division, stating whether there  
27 has been compliance with all the conditions of probation. Respondent shall submit quarterly  
28 declarations not later than 10 calendar days after the end of the preceding quarter.

1                   11.    PROBATION UNIT COMPLIANCE Respondent shall comply with the  
2 Division's probation unit. Respondent shall, at all times, keep the Division informed of  
3 respondent's business and residence addresses. Changes of such addresses shall be immediately  
4 communicated in writing to the Division or its designee. Under no circumstances shall a post  
5 office box serve as an address of record, except as allowed by Business and Professions Code  
6 section 2021(b).

7                   Respondent shall not engage in the practice of medicine in respondent's place of  
8 residence. Respondent shall maintain a current and renewed California physician's and  
9 surgeon's license.

10                  Respondent shall immediately inform the Division, or its designee, in writing, of  
11 travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last,  
12 more than 30 calendar days.

13                  12.    INTERVIEW WITH THE DIVISION, OR ITS DESIGNEE Respondent  
14 shall be available in person for interviews either at respondent's place of business or at the  
15 probation unit office, with the Division or its designee, upon request at various intervals, and  
16 either with or without prior notice throughout the term of probation.

17                  13.    RESIDING OR PRACTICING OUT-OF-STATE In the event respondent  
18 should leave the State of California to reside or to practice, respondent shall notify the Division  
19 or its designee in writing 30 calendar days prior to the dates of departure and return. Non-  
20 practice is defined as any period of time exceeding 30 calendar days in which respondent is not  
21 engaging in any activities defined in Sections 2051 and 2052 of the Business and Professions  
22 Code.

23                  All time spent in an intensive training program outside the State of California  
24 which has been approved by the Division or its designee shall be considered as time spent in the  
25 practice of medicine within the State. A Board-ordered suspension of practice shall not be  
26 considered as a period of non-practice. Periods of temporary or permanent residence or practice  
27 outside California will not apply to the reduction of the probationary term. Periods of temporary  
28 or permanent residence or practice outside California will relieve respondent of the responsibility

1 to comply with the probationary terms and conditions with the exception of this condition and  
2 the following terms and conditions of probation: Obey All Laws; Probation Unit Compliance;  
3 and Cost Recovery.

4 Respondent's license shall be automatically cancelled if respondent's periods of  
5 temporary or permanent residence or practice outside California total two years. However,  
6 respondent's license shall not be cancelled as long as respondent is residing and practicing  
7 medicine in another state of the United States and is on active probation with the medical  
8 licensing authority of that state, in which case the two year period shall begin on the date  
9 probation is completed or terminated in that state.

10 14. FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

11 In the event respondent resides in the State of California and for any reason  
12 respondent stops practicing medicine in California, respondent shall notify the Division or its  
13 designee in writing within 30 calendar days prior to the dates of non-practice and return to  
14 practice. Any period of non-practice within California, as defined in this condition, will not  
15 apply to the ~~reduction~~ of the probationary term and does not relieve respondent of the  
16 responsibility to comply with the terms and conditions of probation. Non-practice is defined as  
17 any period of time exceeding 30 calendar days in which respondent is not engaging in any  
18 activities defined in sections 2051 and 2052 of the Business and Professions Code.

19 All time spent in an intensive training program which has been approved by the  
20 Division or its designee shall be considered time spent in the practice of medicine. For purposes  
21 of this condition, non-practice due to a Board-ordered suspension or in compliance with any  
22 other condition of probation, shall not be considered a period of non-practice.

23 Respondent's license shall be automatically cancelled if respondent resides in  
24 California and for a total of two years, fails to engage in California in any of the activities  
25 described in Business and Professions Code sections 2051 and 2052.

26 15. COMPLETION OF PROBATION Respondent shall comply with all  
27 financial obligations (e.g., cost recovery, restitution, probation costs) not later than 120 calendar  
28 days prior to the completion of probation. Upon successful completion of probation,

1 respondent's certificate shall be fully restored.

2           16.    VIOLATION OF PROBATION Failure to fully comply with any term or  
3 condition of probation is a violation of probation. If respondent violates probation in any respect,  
4 the Division, after giving respondent notice and the opportunity to be heard, may revoke  
5 probation and carry out the disciplinary order that was stayed. If an Accusation, Petition to  
6 Revoke Probation, or an Interim Suspension Order is filed against respondent during probation,  
7 the Division shall have continuing jurisdiction until the matter is final, and the period of  
8 probation shall be extended until the matter is final.

9           17.    COST RECOVERY Within 90 calendar days from the effective date of  
10 the Decision or other period agreed to by the Division or its designee, respondent shall reimburse  
11 the Division the amount of \$3,500 for its investigative and prosecution costs. The filing of  
12 bankruptcy or period of non-practice by respondent shall not relieve the respondent of her  
13 obligation to reimburse the Division for its costs.

14           18.    LICENSE SURRENDER Following the effective date of this Decision, if  
15 respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy  
16 the terms and conditions of probation, respondent may request the voluntary surrender of  
17 respondent's license. The Division reserves the right to evaluate respondent's request and to  
18 exercise its discretion whether or not to grant the request, or to take any other action deemed  
19 appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender,  
20 respondent shall within 15 calendar days deliver respondent's wallet and wall certificate to the  
21 Division or its designee and respondent shall no longer practice medicine. Respondent will no  
22 longer be subject to the terms and conditions of probation and the surrender of respondent's  
23 license shall be deemed disciplinary action. If respondent re-applies for a medical license, the  
24 application shall be treated as a petition for reinstatement of a revoked certificate.

25           19.    PROBATION MONITORING COSTS Respondent shall pay the costs  
26 associated with probation monitoring each and every year of probation, as designated by the  
27 Division, which are currently set at \$2,874.00, but may be adjusted on an annual basis. Such  
28 costs shall be payable to the Medical Board of California and delivered to the Division or its

1 designee no later than January 31 of each calendar year. Failure to pay costs within 30 calendar  
2 days of the due date is a violation of probation.

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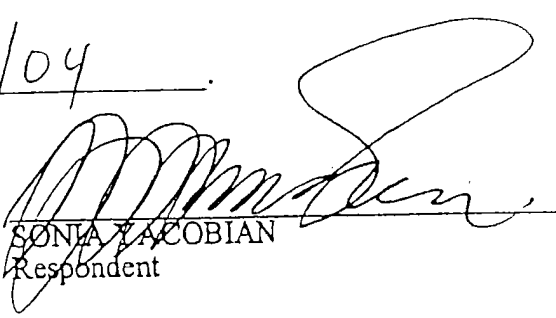
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ACCEPTANCE

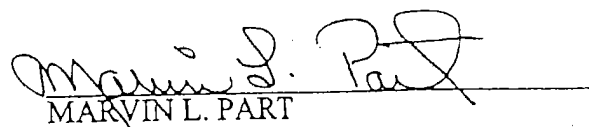
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Marvin L. Part. I understand the stipulation and the effect it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Division of Medical Quality, Medical Board of California.

DATED: 11/12/04

  
SONIA YACOBIAN  
Respondent

I have read and fully discussed with Respondent Sonia Yacobian the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 11/12/04


  
MARVIN L. PART  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Division of Medical Quality, Medical Board of California.

DATED: Jan. 12, 2004.

BILL LOCKYER, Attorney General  
of the State of California

  
RICHARD D. MARINO  
Deputy Attorney General

Attorneys for Complainant

DOJ Docket/Matter ID Number: 03573160LA2002ADXXXX  
YacobianStipulation.wpd



**EXHIBIT B**



UNIVERSITY of CALIFORNIA, SAN DIEGO  
SCHOOL OF MEDICINE

## UNIVERSITY OF CALIFORNIA, SAN DIEGO SCHOOL OF MEDICINE OFFICE OF CONTINUING MEDICAL EDUCATION

certifies that Sonia H. Yacobian, M.D. has participated in the educational activity titled Physician Assessment and Clinical Education Program Medical Record Keeping Course at the Shelter Pointe Hotel & Marina, San Diego, CA on October 27-28, 2005 and is awarded 17.25 hours category 1 credit(s) toward the AMA Physician's Recognition Award.

Credit Approvals:

Number of Credits  
Approved:

AMA Category 1

Up to 17.25 hours

*Each participant should claim only those credits that he/she actually spent in the activity.*

*William A. Norcross MD*

William A. Norcross

M.D.

Professor and Director  
Physician Assessment

and Clinical Education Program

*[Signature]*  
Participant Signature

